

ENTERED

March 03, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ROBERTO SALINAS, §
§
Plaintiff, §
V. § CIVIL ACTION NO. 2:24-CV-00168
§
ROMEO R. RAMIREZ, *et al.*, §
§
Defendants. §

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 13). The M&R recommends that the Court dismiss certain claims and retain Plaintiff's Fourteenth Amendment due process claim against Sheriff Ramirez. *Id.* at 1–2.

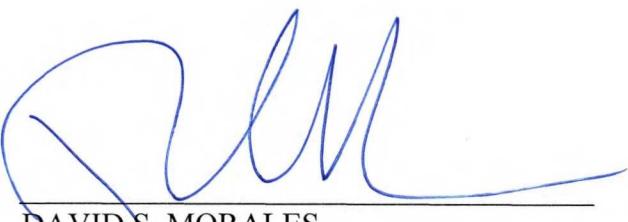
The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court

ADOPTS the M&R in its entirety. (D.E. 13). Accordingly, the Court **ORDERS** the following:

- Plaintiff's claims against Duval County as well as Sheriff Ramirez and Judge Canales in their official capacities are **DISMISSED without prejudice**;
- Plaintiff's Fourteenth Amendment due process claim against Sheriff Ramirez with regard to his unlawful detention of Plaintiff after he was allegedly granted bail on June 17, 2024 is **RETAINED**; and

- Plaintiff's remaining § 1983 claims are **DISMISSED with prejudice** as frivolous or for failure to state a claim for relief, pursuant to § 1915(e)(2)(B), against Sheriff Ramirez and Judge Canales in their individual capacities.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
March 30, 2025